

THE HONORABLE DAN A. POLSTER

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

APPLIES TO ALL CASES

No. 1:17-MD-2804

**NOTICE OF UNTIMELY SERVICE IN
SELECT CASES**

Pursuant to the Court’s Order Regarding Plaintiff Fact Sheets and Service of Process (Dkt. 4801), Defendant Costco Wholesale Corporation notifies the Court that the subdivision-plaintiffs listed in the following table have not served Costco. Consistent with the Court’s order, this list includes only the “subdivision-plaintiffs” that have failed to serve Costco. Several individual plaintiffs have also failed to serve Costco, and their claims against Costco should be dismissed too. Costco would be pleased to provide the Court with a list of those cases at the appropriate time.

20 | **Defendant Name:** Costco Wholesale Corporation

Subdivision Name	MDL Case No.	No PFS in Repository	No Service of Process
Bergen County, NJ	18-OP-45616		X
Jersey City, NJ	18-OP-45948		X
Essex County, NJ	18-OP-45989		X
Sussex County, NJ	19-OP-45616		X
Passaic County, NJ	19-OP-45741		X
Tarrant Cty., TX Hosp. Dist.	21-OP-45077	X	X

**NOTICE OF UNTIMELY SERVICE
(NO. 1:17-MD-2804) – 1**

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In addition, the subdivision-plaintiffs in the table below have failed to timely serve Costco. Their claims against Costco should be dismissed too.

Defendant Name: Costco Wholesale Corporation

Subdivision Name	MDL Case No.	No PFS in Repository	No Timely Service of Process
City of Lansing, MI	18-OP-45054		X
Grand Traverse County, MI	18-OP-45056		X
Chippewa County, MI	18-OP-45066		X
Delta County, MI	18-OP-45067		X
City of Escanaba, MI	18-OP-45068		X
Saginaw County, MI	18-OP-45082		X
Genesee County, MI	18-OP-45083		X
City of Detroit, MI	18-OP-45084		X
Macomb County, MI	18-OP-45085		X
Roscommon County, MI	18-OP-45102		X
Marquette County, MI	18-OP-45104		X
Crawford County, MI	18-OP-45105		X
Leelanau County, MI	18-OP-45111		X
Mason County, MI	18-OP-45112		X
Manistee County, MI	18-OP-45113		X
Gratiot County, MI	18-OP-45339		X
Alcona County, MI	18-OP-45340		X
Arenac County, MI	18-OP-45341		X
Dickinson County, MI	18-OP-45342		X
Iosco County, MI	18-OP-45343		X
City of Iron Mountain, MI	18-OP-45344		X
Ostego County, MI	18-OP-45345		X
Montmorency County, MI	18-OP-45347		X

Subdivision Name	MDL Case No.	No PFS in Repository	No Timely Service of Process
Ogemaw County, MI	18-OP-45348		X
Isabella County, MI	18-OP-45349		X
Shiawassee County, MI	18-OP-45350		X
Lenawee County, MI	18-OP-45351		X
Sanilac County, MI	18-OP-45352		X
Antrim County, MI	18-OP-45354		X
Hillsdale County, MI	18-OP-45355		X
Benzie County, MI	18-OP-45356		X
Oceana County, MI	18-OP-45357		X
Osceola County, MI	18-OP-45359		X
Alger County, MI	18-OP-45360		X
Baraga County, MI	18-OP-45361		X
Luce County, MI	18-OP-45362		X
Wexford County, MI	18-OP-45364		X
Lake County, MI	18-OP-45366		X
City of Grand Rapids, MI	18-OP-45406		X
Clackamas County, OR	18-OP-45442	X ¹	X
Ontongon County, MI	18-OP-45893		X
Presque Isle County, MI	18-OP-45894		X
St. Clair County, MI	18-OP-45896		X
Traverse City, MI	18-OP-45901		X
City of East Lansing, MI	18-OP-45902		X
City of Westland, MI	18-OP-45903		X
City of Jackson, MI	18-OP-45904		X
Ionia County, MI	19-OP-45261		X

¹ The repository does not contain a fact sheet for the County of Yamhill.

Subdivision Name	MDL Case No.	No PFS in Repository	No Timely Service of Process
Livingston County, MI	19-OP-45262		X

Costco is not subject to personal jurisdiction for some or all of the cases in the MDL. Costco submits this filing subject to, and without waiving, all defenses, including but not limited to lack of personal jurisdiction, no service of process, ineffective service of process, or untimely service of process in each case.

DATED this 30th day of January, 2023

*s/*David J. Burman

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